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Letter dated 26 November 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 26 November 2008, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex), forwarding a letter from Mehmet Ali Talat, President of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

08-62418 (E) 011208

Annex to the letter dated 26 November 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 26 November 2008 addressed to you by Mehmet Ali Talat, President of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

Enclosure

I have the honour to refer to the letter of the Greek Cypriot leader, Mr. Demetris Christofias, pertaining to the Greek Cypriot Administration's unilateral delimitation of maritime jurisdiction areas as well as the exploration of oil and natural gas in the Eastern Mediterranean (A/63/554-S/2008/719, dated 20 November 2008) and to bring to your kind attention the views of the Turkish Cypriot side regarding the matter.

Before commenting on the content of the letter, I would like to reiterate, at the outset, that the Greek Cypriot side's unilateral activities regarding the delimitation of maritime jurisdiction areas in the Eastern Mediterranean before a comprehensive settlement prejudge and violate the fundamental rights and interests of the Turkish Cypriot people who were the equal co-founding partner in the 1960 Republic of Cyprus and thus have equal rights and say over the natural resources of the island and the sea areas of the Island of Cyprus. It should be recalled that the sensitive issue of delimitation of maritime jurisdiction areas for Cyprus was an important aspect of the negotiation process under United Nations auspices in 2004. The United Nations comprehensive settlement plan addressed this subject with the understanding that it is to be determined after a comprehensive political settlement in Cyprus. Moreover, it must also be noted that the Greek Cypriot Administration, purporting to act as if it is the legitimate Government of the Republic of Cyprus, represents exclusively the Greek Cypriot people and does not have any authority to negotiate and conclude agreements or conduct exploratory surveys on behalf of Cyprus as a whole. Furthermore, it must also be kept in mind that Turkey, as a neighbouring country, also has legitimate and legal rights and interests in the Eastern Mediterranean and thus the issue is not limited only to Cyprus. Parts of the maritime areas declared as the exclusive economic zone of the so-called Republic of Cyprus also concern Turkey's rights and interests; hence the dispute over the current seismic research activity.

In the above-mentioned letter, Mr. Christofias makes false allegations and refers to a so-called "serious incident which occurred ... off the southern territorial waters of Cyprus, when vessels legitimately conducting exploratory surveys within the exclusive economic zone of Cyprus ..., received threats by a Turkish warship and were forced to withdraw within the territorial waters of Cyprus". This allegation is fraught with slander. According to the information that I received from Turkish authorities, on the morning of 13 November 2008, a Turkish naval vessel, passing by the south-western coast of the Island, spotted two vessels chartered by a Norwegian-American company (Petroleum Geo Services-PGS) conducting seismic research activities on behalf of the Greek Cypriot Administration, and warned them against entering the Turkish maritime jurisdiction area. In parallel, the United States and Norwegian Ambassadors in Ankara were asked by the Turkish authorities to kindly intervene to resolve the issue diplomatically, while the Turkish naval vessels continuously asked the research vessels to leave the Turkish maritime jurisdiction area, but to no avail. The said vessels remained in the area for about seven hours without the permission of the Turkish authorities. As the research ships later continued their activities in the sea area to the south-south-west of the Island, on 15 November 2008, I felt obliged to call Mr. Christofias to ask for the termination of the seismic work altogether in order to prevent any escalation. I repeated this request on other occasions as well. Unfortunately, Mr. Christofias displayed a very

intransigent attitude, expressing the Greek Cypriot side's determination to continue with the research activity. A development which further aggravates the matter as from 21 November has been the addition of a Panama-flagged vessel to the ongoing seismic research activities.

It should be recalled that the attempts by the Greek Cypriot Administration to create a fait accompli in the Eastern Mediterranean through unilateral acts such as conducting exploratory surveys or seismic research activities for oil and gas exploration are nothing new, as has already been brought to your kind attention in my letter of 2 February 2007, which was circulated as a United Nations document (A/61/727-S/2007/54). As is known, the Greek Cypriot Administration signed a maritime delimitation agreement with Egypt as early as 2003 and with Lebanon in 2007, to which both Turkey and the Turkish Cypriot side registered their objections with the United Nations, stating that their legitimate rights in the Eastern Mediterranean are being violated. The Turkish side also objected to the Greek Cypriot side's attempt to adopt a law identifying 13 oil exploration fields around the island and to call for an international tender for oil exploration in the so-called exclusive economic zone of Cyprus.

Furthermore, these activities on the part of the Greek Cypriot side are in contravention of international law. It is an established rule that maritime delimitation in a semi-enclosed area like the Eastern Mediterranean can only be effected by agreement, with the consent of all parties concerned and by respecting their mutual rights. Since there is no such agreement over the exclusive economic zone in the said region, the Greek Cypriot Administration has no right whatsoever to initiate any activity there, including "exploratory surveys".

I would like to stress that at a time when full-fledged negotiations are ongoing regarding the core issues of a comprehensive settlement, which certainly include the issue of the maritime jurisdiction areas of the Island of Cyprus, the Greek Cypriot agitation for bringing the issue to your attention is part and parcel of chronic attempts by the Greek Cypriot Administration to settle the issue away from the negotiation table and to defame Turkey.

I would like to reiterate, once again, that despite the negative stance by the Greek Cypriot Administration the Turkish Cypriot side will continue to take part in the full-fledged negotiations in good faith and do its utmost to reach a comprehensive settlement on the basis of the United Nations-established parameters and body of work.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Mehmet Ali **Talat**
President